

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROYCE CORLEY,

Plaintiff,

-v.-

CYRUS R. VANCE, JR., *et al.*,

Defendants.

15 Civ. 1800 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court has reviewed Plaintiff's motion for reconsideration of his "Omnibus Pretrial Motion," filed on October 8, 2019. (Dkt. #342). The Court had previously denied Plaintiff's motion on September 17, 2019, for largely the reasons provided by Defendants in their opposition letter. (Dkt. #341).

On a motion for reconsideration, the moving party must "point to controlling decisions or data that the court overlooked – matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." *Shrader v. CSX Transp. Inc.*, 70 F.3d 255, 256-57 (2d Cir. 1995) (internal citations omitted) (noting that the standard for granting motions for reconsideration is "strict"); accord *Van Buskirk v. United Grp. of Cos., Inc.*, 935 F.3d 49, 54 (2d Cir. 2019). "Such a motion should not be made to reflexively [] reargue those issues already considered when a party does not like the way the original motion was resolved." *In re Optimal*, 813 F. Supp. 2d at 387 (quoting *Makas v. Orlando*, No. 06 Civ. 14305 (DAB) (AJP), 2008 WL 2139131, at *1 (S.D.N.Y. May 19, 2008) (internal quotation marks omitted)). "Compelling reasons for granting a motion for reconsideration are limited to an intervening

change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.” *Abraham v. Leigh*, No. 17 Civ. 5429 (KPF), 2018 WL 3632520, at *1 (S.D.N.Y. July 30, 2018) (internal quotation marks omitted) (quoting *Virgin Atl. Airways, Ltd. v. Nat’l Mediation Bd.*, 956 F.2d 1245, 1255 (2d Cir. 1992)).

The Court finds that Plaintiff has failed to point to controlling decisions or data that the Court overlooked, or that might reasonably be expected to alter the Court’s conclusions. Instead, Plaintiff has largely repeated his prior arguments. Therefore, the Court finds that Plaintiff has failed to meet his burden on a motion for reconsideration. Plaintiff’s motion is DENIED. The Clerk of Court is directed to terminate the motion at docket number 342.

SO ORDERED.

Dated: December 16, 2019
New York, New York



KATHERINE POLK FAILLA
United States District Judge

A copy of this Order was mailed by Chambers to:

Royce Corley
68011-054
Federal Correctional Institution
Petersburg Low P.O. Box 1000
Petersburg, Virginia 23804-1000